



13-CV-01147-CMP



JUL 02 2013

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

C13-1147 RSM-BAT

Milton A. Rich, pro-se,
(Name of Plaintiff)

JURY DEMAND

CIVIL RIGHTS COMPLAINT
BY A PRISONER UNDER 42
U.S.C. § 1983

vs.

Sarah, E. Mulloy BADGE #7421;
LONDON STEIGER BADGE #7552;
NAM NGUYEN BADGE #7579;
ACTING IN THEIR INDIVIDUAL AND OFFICIAL CAPACITY.
(Names of Defendant(s))

I. Previous Lawsuits:

A. Have you brought any other lawsuits in any federal court in the United States while a prisoner?:

☐ Yes ☒ No

B. If your answer to A is yes, how many?: _____. Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff: _____

Defendants: _____

2. Court (give name of District): No
3. Docket Number: No
4. Name of judge to whom case was assigned: No
5. Disposition (For example: Was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?): No
6. Approximate date of filing lawsuit: No
7. Approximate date of disposition: No

II. Place of Present Confinement: KING CO Jail, 500 5th Ave Seattle WA 98104

- A. Is there a prisoner grievance procedure available at this institution? ☒ Yes ☐ No
- B. Have you filed any grievances concerning the facts relating to this complaint? ☐ Yes ☒ No

If your answer is NO, explain why not:

BECAUSE THIS ACTION PERTAINS TO POLICE EXCESS USE OF USE CAUSING SERIOUS BODILY INJURY, AND NOT A PRISONER ISSUE TO COMPLY WITH 42 USC § 1997(e)

- C. Is the grievance process completed? ☐ Yes ☐ No

If your answer is YES, ATTACH A COPY OF THE FINAL GRIEVANCE RESOLUTION for any grievance concerning facts relating to this case.

III. Parties to this Complaint

- A. Name of Plaintiff: Milton R. Rich Pro-se Inmate No.: 212030828
KING COUNTY JAIL
 Address: 500 5th Ave Seattle WA 98104-2332

(In Item B below, place the full name of the defendant, his/her official position, and his/her place of employment. Use item C for the names, positions and places of employment of any additional defendants. Attach additional sheets if necessary.)

- B. Defendant: SARAH E. Mulloy, BADGE # 7421 Official Position: POLICE
 Place of employment: SEATTLE POLICE - WEST SEATTLE PRECINCT

C. Additional defendants LONDON STEIGER, BADGE # 7552 - SEATTLE
POLICE OFFICER; AND
NAM NGUYEN, BADGE # 7579 - SEATTLE POLICE OFFICER
ALL DEFENDANT'S ARE SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITY(S)

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates, places, and other persons involved. Do not give any legal arguments or cite any cases or statutes. If you allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.)

1. ON NOVEMBER 24, 2012 SEATTLE POLICE DEPARTMENT ("SPD") OFFICER'S RESPONDED TO AN EMERGENCY CALL FOR "POSSIBLE BURGLERY IN PROGRESS... COMPLAINANT HEARD MALE BREAK DOWN DOOR AND IS BEATING UP AN OLD LADY" AT "21:07:34" HOURS ON THE POLICE LOG ATTACHED HEREIN AS EXHIBIT A. SPD OFFICE SARAH MULLOY, BADGE # 7521 ("OFFICER MULLOY") IS THE FIRST SPD OFFICER TO ARRIVE ON THE SCENE AT "21:10:31" HOURS, AND STATES ON THE POLICE LOG "NOT SEEING HIM IN FRONT." SEE EXHIBIT A, AT 21:10:34 HOURS, HIGHLIGHTED IN YELLOW.

2. AT "21:12:28" HOURS OFFICER MULLOY VISIBLY OBSERVES "SUSPECT PACING IN THE HALLWAY." EXHIBIT A. AT "21:12:43" HOURS, SPD OFFICER LONDON STEIGER, BADGE # 7552 ("OFFICER STEIGER") HAS ARRIVED ON THE SCENE AND REPORTS HE IS ON THE "WEST SIDE" OF THE BUILDING. SEE EXHIBIT A, AT 21:12:43 HOURS HIGHLIGHTED IN GREEN.

3. AT "21:13:36" HOURS OFFICER MULLOY REPORTS ON THE POLICE LOG, THAT "SUSPECT IS IN CUFFS" EXHIBIT A, AT 21:13:36 HOURS. FURTHERMORE, IN THE SPD POLICE LOG, UNKNOWN SPD OFFICER'S (A) BADGE # 7510 AND (B) BADGE # 2768 REPORT THAT EVERYTHING IS "UNDER CONTROL." SEE EXHIBIT A, AT 21:14:13 HOURS HIGHLIGHTED IN PINK.

4. BEFORE PROCEEDING, OF PARTICULAR NOTE, IS THE FACT THAT SPD OFFICER'S WERE IN SEACH OF A SUSPECT DESCRIBED AS A "WHITE MALE, 40'S 6'2" MEDIUM BUILD. EXHIBIT A, AT 21:08:26 HOURS HIGHLIGHTED IN ORANGE. HOWEVER, PLAINTIFF, MILTON RICH ("PLAINTIFF" OR "RICH" HEREINAFTER), IS AN AFRICAN-AMERICAN MALE, 5'6" BEYOND MEDIUM BUILD. ALSO, AS STATED ABOVE IN PARAGRAPH 5, RICH WAS PLACED "IN CUFFS" AND EVERYTHING AT THE SCENE WAS "UNDER CONTROL." FURTHER, NOWHERE WITHIN THE POLICE LOGS DO SPD OFFICER'S REPORT THAT PLAINTIFF, PRIOR TO BEING "UNDER CONTROL" AND "IN CUFFS," NOR AFTER BEING TAKEN INTO CUSTODY, PHYSICALLY ASSAULTIVE TOWARDS SPD OFFICER'S. YET, RICH WAS BEATEN TO UNCONSCIOUSNESS BY SPD OFFICER'S.

5. AS STATED IN PARAGRAPH 1, OFFICER MULLOY WAS THE FIRST REPORTING OFFICER ON THE SCENE, AND MULLOY ALSO WAS THE SPD OFFICER WHO PLACED PLAINTIFF IN HANDCUFFS AS WELL IN HER POLICE REPORT WITHOUT INCIDENT.

6. HOWEVER, SPD POLICE LOGS, AT 21:15:36 HOURS REPORT "MEDIC OR AID... FOR SUSPECT ALT/CONS, BLEEDING" EXHIBIT A, AT 21:15:36 HOURS. THUS, PLAINTIFF ASSERTS AND CONTENDS THAT HE WAS BEATEN TO THE POINT OF BEING KNOCKED UNCONSCIOUS, FROM THE TIME HE WAS PLACED IN HANDCUFFS AT 21:13:36 HOURS TO MEDICS WERE CALLED AT 21:15:36 HOURS, FOR TWO (2) MINUTES IN DURATION THE ASSAULT ON RICH TOOK PLACE BY DEFENDANT'S.

7. HEREIN ATTACHED AS EXHIBIT B, IS SPD OFFICER MULLOY'S POLICE REPORT, TWO (2) PAGES IN LENGTH. OFFICE MULLOY REPORTS THAT PLAINTIFF:

" HE OPENED THE DOOR AND THEN WALKED BACKWARDS FROM IT WITH HIS HANDS IN THE AIR. MY TASER WAS IN MY RIGHT HAND BEFORE HE OPENED THE DOOR WHEN I SAW BOTH HIS HANDS. I CAUGHT THE DOOR AND OPENED IT ALL THE WAY... HIS HANDS WERE STILL IN THE AIR AND HE WAS TELLING ME TO COME IN SEVERAL TIMES... I GAVE HIM COMMANDS TO STEP BACK AND HE TURNED AROUND. THE SUSPECT WAS THEN TAKEN INTO CUSTODY."

EXHIBIT B, PAGE 2.

8. UPON BEING PLACED IN HANDCUFFS AND TAKEN INTO CUSTODY, RICH SIMPLY ASSERTED HIS CONSTITUTIONAL RIGHTS AND QUESTIONED WHY HE WAS BEING ARRESTED. AT THIS TIME SPD OFFICER NAM NGUYEN, BADGE # 7579 ("OFFICER NGUYEN"), AND SPD OFFICER LONDON STEIGER, BADGE # 7552 BEGAN, ACTING UNDER COLOR OF LAW, THEIR BRUTAL ASSAULT UPON PLAINTIFF AND EXCESSIVE USE OF FORCE WAS SO SEVER THAT RICH LOST CONSCIOUSNESS AND AWOKE WITH SERIOUS BODILY INJURY, INCLUDING LOSS OF SEVERAL FRONT TEETH.

9. DISTURBINGLY, BOTH OFFICER NGUYEN AND OFFICE STEIGER PAINT A DIFFERENT STORY IN THEIR POLICE REPORT'S IN AN ATTEMPT TO "COVER-UP" THEIR ASSAULT UPON THE PLAINTIFF. ATTACHED HEREIN AS EXHIBIT C, OFFICER STEIGER REPORTS THAT:

" I WAS AFFRAID THAT RICH WAS GOING TO ATTACK OFFICE MULLOY, AND I RAN TO THE DOORWAY TO BE WITH HER. I SAW OFFICER NGUYEN ENTER THE HALLWAY... RICH TURNED TOWARDS OFFICE NGUYEN, PLACED HIS FEET ABOUT SHOULDER WIDTH APART, HE HELD HIS HANDS AT SHOULDER HEIGHT NEAR HIS CHIN. I COULD HEAR OFFICER NGUYEN TELL RICH TO GET ON THE GROUND TWICE... I BECAME INVOLVED IN A PHYSICAL STRUGGLE WITH RICH. I ULTIMATELY ASSISTED OFFICER NGUYEN IN PLACING RICH INTO CUSTODY.

EXHIBIT C, PAGE 2.

10. YET, OFFICER MULLOY'S POLICE REPORT CLEARLY STATES THAT SHE HAD SINGLE-HANDEDLY PLACED RICH INTO CUSTODY WITHOUT INCIDENT.

11. OFFICER NGUYEN FABRICATED A MORE ELABORATE STORY IN HIS POLICE REPORT ATTACHED HEREIN AS EXHIBIT D. OFFICER NGUYEN STATES THAT:

" I WALKED DOWN THE S HALLWAY... AND OBSERVED 'ARRESTED' MILTON RICARDO RICH... RICH WAS YELLING TOWARDS OFFICER MULLOY AND STEIGER... RICH TURNED AROUND, FACED ME, TOOK A FIGHTING STANCE AND STATED 'COME ON' ... RICH HAD BOTH IS FIST CLENCHED AND AT CHEST LEVEL... I DREW MY SERVICE WEAPON, POINTED IT AT HIM AND INSTRUCTED HIM TO 'GET ON THE GROUND' ... THUS WE BECAME INVOLVED IN A PHYSICAL STRUGGLE TO TAKE RICH INTO CUSTODY... AND I PLACED HANDCUFFS ON HIM. DUE TO HIS SIZE, I USED 2 SETS OF HANDCUFFS."

EXHIBIT D, PAGES 1-2.

12. AGAIN, OFFICE MULLOY AS THE FIRST RESPONDING SPD OFFICER, CLEARLY STATES BY HERSELF, SHE PLACED HANDCUFFS UPON PLAINTIFF MILTON RICH. YET OFFICER NGUYEN CLAIMS TO HAVE HANDCUFFED RICH IN HIS REPORT.

13. THE MOST DISTURBING FACTS OF OFFICER NGUYEN'S FABRICATED POLICE REPORT IS (a) NGUYEN "WALKED DOWN THE S HALLWAY ... AND OBSERVED [AN] 'ARRESTED'" PLAINTIFF; (b) AN "ARRESTED" PLAINTIFF THAT IS ALREADY IN HANDCUFFS WITHIN OFFICER NGUYEN'S OWN STATEMENT; THEN (c) NOW CLAIMS THE PLAINTIFF "TOOK A FIGHTING STANCE ... WITH BOTH HIS FIST CLENCHED AT CHEST LEVEL. THUS, IN THE VERY SAME POLICE REPORT, OFFICER NGUYEN CLAIMS TO OBSERVE THE PLAINTIFF "ARRESTED" WITH HANDCUFFS, OBVIOUSLY BEHIND RICH'S BACK, YET, PLAINTIFF HAS HIS HANDS NOW IN FRONT OF HIM, AT CHEST LEVEL WITH BOTH FIST CLENCHED LOOKING AT OFFICER NGUYEN.

14. ONCE AGAIN, SPD OFFICER MULLOY AS THE FIRST OFFICER TO RESPOND, CLEARLY STATES IN HER POLICE REPORT, THAT SHE TOOK THE PLAINTIFF INTO CUSTODY ON HER OWN WITHOUT INCIDENT.

15. RICH ASSERTS AND CONTENDS HERE, THAT OFFICER MULLOY'S POLICE REPORT IS ACCURATE AND TRUE, THAT MULLOY WAS THE ONLY OFFICER THAT PLACED HANDCUFFS ON HIM AFTER FULLY COMPLYING WITH OFFICER MULLOY'S COMMANDS TO TURN AROUND AND BE CUFFED-UP.

16. UPON PLAINTIFF EXPRESSING HIS CONSTITUTIONAL RIGHTS

QUESTIONING WHY HE WAS BEING ARRESTED AND UNDER WHAT CHARGES, OFFICER'S NGUYEN AND STEIGER BEGAN BEATING HIM WITH BLOWS TO HIS HEAD AND FACE. THE "COLOR PHOTOGRAPHS" OF THE SAID HEAD AND FACE INJURIES ARE ATTACHED HEREIN AS EXHIBIT E.

17. PRIOR TO LOSING CONSCIOUSNESS, PLAINTIFF RECALLS THAT OFFICER MULLOY STOOD AND WATCHED BOTH NGUYEN AND STEIGER ASSAULT RICH "WITHOUT" STOPPING THE OTHER OFFICER'S CONDUCT ACTING UNDER COLOR OF LAW DURING THE ASSAULT UPON HIM.

18. AFTER RICH CAME BACK FROM BEING BEATEN TO UNCONSCIOUS AT THE HANDS OF NAMED AND, POSSIBLY UNNAMED SPD OFFICER'S, AN AMBULANCE WAS SUMMONED (SEE EXH.A AT 21:15:36 HRS). PLAINTIFF REPORTED TO MEDIC'S THAT HE WAS TAKEN DOWN BY POLICE OFFICERS, WAS KNOCKED UNCONSCIOUS AND BLEEDING FROM HIS HEAD AND FACE, AND HIS FRONT TEETH WERE KNOCK OUT AND SOME WERE KNOCKED LOOSE. RICH EVENTUALLY LOST THE TEETH KNOCKED LOOSE BY DEFENDANT'S.

19. RICH WAS THEN TAKEN INTO CUSTODY, AND CURRENT BEING HELD AT KING COUNTY JAIL. LOCATED AT, 500 5TH AVE SEATTLE, WA. 98104-2332 TO DATE, UNDER THE SOLE CHARGE, AN ALLEGED "NO CONTACT ORDER" (NCO). BECAUSE THERE WAS NO OTHER ALLEGED CHARGES FILED, PLAINTIFF ASSERTS AND CONTENTS THE NCO CHARGE WAS FILED IN AN ATTEMPT TO "COVER-UP" THE BRUTAL ASSAULT UPON RICH. THE PLAINTIFF IS TAKING THE FAISIFIED NCO CHARGE TO TRIAL IN STATE COURT.

20. PRIOR TO FILING THIS LAWSUIT, PLAINTIFF HAS (a) WROTE A LETTER OF COMPLAINT TO UNITED STATES DEPARTMENT OF JUSTICE ("DOJ") TO NO AVAIL IN THE DOJ REPLY LETTER FROM JENNY A. DURKAN, UNITED STATES ATTORNEY; AND (b) A FORMAL COMPLAINT FILED WITH THE SPD OFFICE OF PROFESSIONAL ACCOUNTABILITY ("OPA"). THE DOJ AND OPA REPLY LETTERS ARE ATTACHED HEREIN AS EXHIBIT F.

21. TO DATE, THE OPA HAS NOT CONCLUDED ITS INVESTIGATION AND/OR OFFERED PLAINTIFF A MONETARY SETTLEMENT TO RICH, AND HE HAS NOW FILED THIS ACTION BEFORE THIS HONORABLE COURT TO RENDER A REASONABLE SETTLEMENT OFFER, OR TRIAL BY JURY.

22. SINCE THE EXCESSIVE USE OF FORCE CAUSING SERIOUS BODILY INJURY OCCURRED, RICH HAS, AND CONTINUES TO HAVE RECURRING NIGHTMARES OF THE BRUTAL ASSAULT UPON HIM ON NOVEMBER 24, 2012.

23. AS A DIRECT AND PROXIMATE RESULT OF THE SAID NIGHTMARES FROM THE ASSAULT BY SPD OFFICER'S ACTING UNDER COLOR OF LAW, THE MENTAL HEALTH STAFF AT THE JAIL HAVE (a) DIAGNOSED RICH WITH POST TRAUMATIC STRESS DISORDER ("PTSD") AND PANIC-ANXIETY DISORDER; AND (b) IS NOW PRESCRIBED PSYCHIATRIC MEDICATION'S TO COMBAT HIS PANIC-ANXIETY ATTACKS/PTSD, AS WELL AS SLEEP SEDITIVES TO HELP WITH THE ONGOING NIGHTMARES RICH CONTINUES TO SUFFER AFTER THE ASSAULT BY SPD OFFICER'S ON NOVEMBER 24, 2012. THE MEDICATION'S TAKEN ARE ARE ATTACHED HEREIN AS EXHIBIT G.

CAUSE OF ACTION

WHEREAS, TO THE FOREGOING REASONS STATED ABOVE, PLAINTIFF RICH SETS FORTH HIS CAUSE OF ACTION BELOW THAT:

1. DEFENDANT'S VIOLATED PLAINTIFF'S FIRST AMENDMENT

RIGHT OF FREEDOM OF SPEECH TO THE UNITED STATES CONSTITUTION, BY ASSAULTING PLAINTIFF WITH EXCESSIVE USE OF FORCE CAUSING SERIOUS BODILY INJURY, BY ASKING "WHY HE WAS UNDER ARREST AND WHAT ARE THE CHARGES";

2. DEFENDANT'S VIOLATED PLAINTIFF'S FOURTH AMENDMENT

RIGHT TO BE SECURE IN HIS PERSON AND HOUSE PURSUANT TO THE UNITED STATES CONSTITUTION, BY ASSAULTING PLAINTIFF WITH EXCESSIVE USE OF FORCE WITHOUT PROBABLE CAUSE TO DO SO;

3. DEFENDANT'S VIOLATED PLAINTIFF'S FIFTH AMENDMENT

RIGHTS TO THE UNITED STATES CONSTITUTION, BY ASSAULTING PLAINTIFF WITH EXCESSIVE USE OF FORCE; DEPRIVED HIM OF LIFE AND LIBERTY AND; THUS, PLAINTIFF IS ENTITLED TO JUST COMPENSATION PURSUANT TO THE FIFTH AMENDMENT;

4. DEFENDANT'S VIOLATED PLAINTIFF'S SIXTH AMENDMENT

RIGHTS TO THE UNITED STATES CONSTITUTION, BY FAILURE TO INFORM THE PLAINTIFF THE CAUSE OF ACCUSATION TO BE ARRESTED, BUT, INSTEAD, DEFENDANT'S ASSAULTED PLAINTIFF WITH EXCESSIVE USE OF FORCE CAUSING SERIOUS BODILY INJURY;

5. DEFENDANT'S VIOLATED PLAINTIFF'S EIGHTH AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION, BY ASSAULTING PLAINTIFF WITH EXCESSIVE USE OF FORCE CAUSING CAUEL AND UNUSUAL PUNISHMENT INFLICTED WITH SERIOUS BODILY INJURY ACTING UNDER COLOR OF LAW; AND

6. DEFENDANT'S VIOLATED PLAINTIFF'S FOURTEENTH AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION, BY DEPRIVING PLAINTIFF OF THE PRIVILEGE NOT TO BE ASSAULTED BY DEFENDANT'S; THE EXCESSIVE USE OF FORCE DEPRIVED PLAINTIFF OF LIFE AS HE KNEW IT PRIOR TO THE MENTAL ANGUISH HE NOW, AND CONTINUES TO SUFFER TO DATE; DEFENDANT'S HAVE UNLAWFULLY DEPRIVED PLAINTIFF OF HIS LIBERTY WITHOUT DUE PROCESS OF LAW; AND THE DEFENDANT'S HAVE DENIED PLAINTIFF OF THE EQUAL PROTECTION CLAUSE UNDER THE FOURTEENTH AMENDMENT, NOT TO BE SUBJECTED TO EXCESSIVE USE OF FORCE CAUSING SERIOUS BODILY INJURY AND MENTAL HEALTH IMPAIRMENT, AND MENTAL ANGUISH CAUSED BY DEFENDANT'S ACTING UNDER COLOR OF LAW.

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. DECLARE THE RIGHT TO TRIAL BY JURY;
2. DECLARE DEFENDANT'S ACTS WERE UNDER COLOR OF LAW;
3. DECLARE DEFENDANT'S ARE LIABLE IN THEIR INDIVIDUAL AND OFFICIAL CAPACITY(S);
4. DECLARE DEFENDANT'S VIOLATED PLAINTIFF'S: FIRST; FOURTH; FIFTH; SIXTH; EIGHTH AND FOURTEENTH AMENDMENT RIGHTS UNDER THE UNITED STATES CONSTITUTION;
5. AWARD NOMINAL, COMPENSATORY AND PUNITIVE MONETARY DAMAGES OF \$3 MILLION DOLLARS;
- AND 6. WHATEVER OTHER LIABLE CAUSE OF ACTION THE HONORABLE COURT DEEMS JUST AND PROPER IN THIS MATTER; AND
7. AWARD FILING FEES AND OTHER COSTS TO PLAINTIFF; AWARD ATTORNEY FEES TO PLAINTIFF

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23rd day of JUNE 20 13.

Mr Milton R. Rich
(Signature of Plaintiff)

EXHIBIT A

SPD POLICE LOGS

CALL: 12-402486 CLEARED (R)

Time	Date	Desk/ Unit	ID
21:06:31	11 24	911	
21:06:35	11 24	PR7	7372
21:07:34	11 24	PR7	7372
21:07:40	11 24	PR7	7372
21:07:55	11 24	SD	7147
21:07:55	11 24	SD	7147
21:08:04	11 24	SD	7147
21:08:26	11 24	PR7	7372
21:08:31	11 24	PR7	7372
21:08:37	11 24	SD	7147
21:08:41	11 24	K94	5477
21:09:01	11 24	SD	7147
21:09:22	11 24	PR7	7372
21:09:39	11 24	PR7	7372
21:09:58	11 24	PR7	7372
21:10:08	11 24	SD	7147
21:10:12	11 24	SD	7147
21:10:31	11 24	SD	7147
21:10:39	11 24	SD	7147
21:10:48	11 24	PR7	7372
21:11:11	11 24	SE11	7373
21:11:17	11 24	PR7	7372
21:11:31	11 24	SE11	7373
21:11:33	11 24	PR7	7372
21:12:03	11 24	SD	7147
21:12:09	11 24	PR7	7372
21:12:12	11 24	SE11	7373
21:12:22	11 24	SE11	7373

Position: 07 Phone: [REDACTED] B [REDACTED], R [REDACTED]
Priority: 1 Received by: 9 911
Initial: DISTV1
Final: 083
Reporting: 7421
Telephone: [REDACTED]
103- [REDACTED]
Community: SE County: District: F Zone: F2
Contact: OPTIONAL B [REDACTED] G1: R [REDACTED] G2: Sex: M DOB: [REDACTED]
102- [REDACTED]
[REDACTED] IS BEATING UP
[REDACTED] LADY
[REDACTED] NO MENTION OF WEAPNS
E: 3F2 PT 7510 103- [REDACTED]
E: 3F3 PT 7579 103- [REDACTED]
E: K94 K9 5477 103- [REDACTED]
A: 3F3 PT 7421 103- [REDACTED]
A: 3F3 PT 7421 103- [REDACTED]
Suspect Description: WM, 40'S, 6'2, MED BUILD, BALD HEAD, WHI SHIRT, BLU JEANS
Comp. Name: CHANGED TO: M
Comp. Phone: [REDACTED] TO: B 206 559 0000
E: 3W1 PT 7552 103- 6434 [REDACTED]
E: 3W1 PT 7579 103- 6434 [REDACTED]
E: K94 K9 5477 103- 6434 [REDACTED]
A: 3F3 PT 7421 103- 6434 [REDACTED]
A: 3F3 PT 7421 103- 6434 [REDACTED]
[REDACTED] Sent to MDT: 3F3, Status changed to A by SD
[REDACTED] THE FEMALE IN THE APT IS IN HER 50'S. SAID THERE ARE
[REDACTED] THINKS SUSP IS LEAVING.
[REDACTED] HEARS HIM IN THE HALLWAY
[REDACTED] EXPECTED TO EXIT OUT THE FRONT, BUT THERE ARE 2 EXITS THAT GO TO THE
BACK ALLEY
A: 3W1 PT 7552
A: 3W1 PT 7579
A: 3W1 PT 7552
[REDACTED] Sent to MDT: 3W1, Status changed to A by SD
[REDACTED] RING 102 AND COMPL WILL LET OFCRS IN
[REDACTED] 3F3 NOT SEEING HIM IN FRONT
[REDACTED] NOT SEEING HIM IN FRONT
A: 3F3 PT 7421
A: 3F01 PT 2768 Will HEAD TO REAR
A: 3F01 PT 2768 Sent to MDT: 3F01, Status changed to A by SD
[REDACTED] COMPL NOT HEARING ANYTHING FROM APT
[REDACTED] SAME AS EV 2488 SUSP WAS BEATING UP HIS GIRLFRIEND IN APT [REDACTED], VICTIM
IS NOW IN APT [REDACTED] WITH MY COMPL.
Comp. Name: [REDACTED] M TO: B [REDACTED] M
Comp. Contact
[REDACTED] NO WEAPNS GETTING FIRE ON LINE FOR INJ VICTIM
[REDACTED] THIS IS THE CONVELLA APTS
[REDACTED] 3F3 CAN HEAR YELLING INSIDE
A: 3F3 PT 7421
[REDACTED] CAN HEAR YELLING INSIDE
[REDACTED] COMPL HEARS MALE VOICE AGAIN IN THE APT
[REDACTED] CAN HEAR SUSPECT YELLING AT FEMALE. HE IS AT APT [REDACTED] ON FIRST FLOOR
[REDACTED] SUSP NOW THREATENING TO BEAT MY COMPL UP

Thu Nov-27-2012

(M) 3F3 SUSP PACING IN THE HALLWAY
A: 3F3 PT 7421 SUSP PACING IN THE HALLWAY
(M) 3W1 WEST SIDE
A: 3W1 PT 7652 WEST SIDE
Victim P [REDACTED] Description: WITH COMPL IN APT [REDACTED]
(M) NOW PHYSICALLY FIGHTING AGAIN
(M) THIS IS NOW IN THE HALLWAY
(M) THIS IS THE 1ST FLOOR
(M) 3F3 SUSP IS IN CUFS
A: 3F3 PT 7421 SUSP IS IN CUFS
A: 3F2 PT 7510
(M) 3F01 UNDER CONTROL
A: 3F01 PT 2768 UNDER CONTROL
(M) DUPLICATE: 12-402488: COMPL WITH FEMALE WHO SAYS HER BOYF BEAT HER UP
(M) 12-402488: COMPL WITH FEMALE WHO SAYS HER BOYF BEAT HER UP

in cuffs in 25" second

125" second
in cuts in

21	15	42	11	24	SD	7147	Call type: BURGRI	TO: DISTVL	103- [REDACTED]	SW PREC	changed to TR by SD
21	16	36	11	24	SD	7147	Final Call type: BURGRI	TO: DISTVL			
21	24	00	11	24	SD	7147	TR: 3F2	PT 7510	SW PREC W/MALE		
21	24	50	11	24	SD	7147	TR: 3F2	PT 7510	Sent to MDT: 3F2, Status	changed to TR by SD	
21	24	51	11	24	SD	7147	(M) 3F3	FIRE IS	FOLLOWING		
21	24	50	11	24	SD	7147	A: 3F3	PT 7421	FIRE IS FOLLOWING		
21	25	32	11	24	SD	7147	E: 3F	PS	SW PREC		
21	25	32	11	24	SD	7147	A: 3F2	PT 7510	TRANSPORT COMPLETED:		
21	25	32	11	24	SD	7147	A: 3F2	PT 7510	Sent to MDT: 3F2, Status	changed to A by SD	
21	31	31	11	24	SW11	4617	IS: 3F1	PT 4617			
21	31	31	11	24	SW11	4617	E: 3F	PS 4357	VEH: 069900 ID: 745027		
21	31	31	11	24	SW11	4617	E: 3F	PS 4357	CAPABILITIES:		

22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	SW PCT	PERS-NAME:RICH	G1:MILTON	STATE:WA	EXTL:N
22:15:07	11	24	3W1	7552	IS:02:39	PT	7510	SW PCT	CAD:Y	EXTC:N	EXT4:Y	EXTL:N
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	PREEMPT	EXT5:N	EXT7:N	PKI:N	UNIT:3W1
22:15:07	11	24	3W1	7552	A: 3W1	PT	7579	SW PCT	EXT6:N	EXT1:Y	EXTA:Y	
22:15:07	11	24	3W1	7552	REC:Y	EXTN:Y		RMS Q	EXT7:N	EXT5:N	EXTC:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		PERS-NAME:RICH	EXT8:N	EXT4:Y	EXTA:Y	
22:15:07	11	24	3W1	7552	REC:Y	EXTN:Y		EXT1:Y	EXT6:N	EXT7:N	PKI:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		CAD:Y	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N	EXT5:N	EXTC:N	EXT4:Y	
22:15:07	11	24	3W1	7552	A: 3W1	PT	7552	EXT6:N	EXT1:Y	EXTA:Y	EXTL:N	
22:15:07	11	24	3W1	7552	EXT2:N	EXTW:N		EXT7:N				

EXHIBIT B

SPD OFFICER SARAH MULLOY'S POLICE REPORT



SEATTLE POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY
KC PROSECUTOR COPY

GO# 2012-402486 OPEN

1303-1 ASSLT-AGG-DV-BODYFORCE

7 FINGERPRINTS

EVIDENCE OR CARDS SUBMITTED?: [y] (Y/N)

ANALYSIS REQUEST SUBMITTED?: [n] (Y/N)

COMPARISON REQUEST SUBMITTED?: [n] (Y/N)

8 FELONY ALERT PACKET SUBMITTED?: [y] (Y/N)

OFFICER SUBMITTING: [S. Mulloy 7421]

FOLLOW-UP UNIT DESTINATION: [DV Unit, Homicide]

9 LIST ALL HARD-COPY PAPERWORK SUBMITTED:

(ex; WRITTEN STATEMENTS, AUTO THEFT REPORTS, DV SUPPLEMENTALS, ETC)

{General offense, Officer statements, superform, witness statements x2
 -->}

10 VICTIM INJURIES:

{various marks all over victims face, bleeding from left elbow, scratches on right forearm, possible head injury, located hair torn from head at scene. -->}

11 INCIDENTAL PROPERTY DAMAGE: (DESCRIPTION & VALUE)

{ -->}

12 VEHICLE IMPOUNDED? [n] (Y/N)

13 INCIDENT DESCRIPTION / NARRATIVE:

{Parts of this incident were audio and video recorded. Officer K. Galbriath had audio and video footage of the suspect's transport to the precinct.

On 11.24.2012 at 2106 hours I was working in full uniform in a fully marked patrol vehicle for the City of Seattle, Seattle Police Department as 3F3. At this time I heard dispatch broadcast a possible burglary in progress at ~~8411 Delridge NW~~ in unit ~~333~~. Dispatch continued to update the call and advise that the complainant reported seeing an elder female being beat up by a male in her apartment.

I arrived at 2109 hours just to the north of the apartment complex. I heard radio advise that the suspect was a white male in his 40's, medium build, bald head, white shirt, blue jeans. I then heard radio advise that the suspect was headed towards the front door towards Delridge WY SW.

I waited and did not see anybody come out the front door of the complex. Officer L. Steiger and N. Nguyen (3W1) arrived seconds later with me along Delridge. Myself and Officer Steiger went to the rear of the complex while Nguyen held the front door. At the rear of the complex I located two exit points. One on the lower level and another that lead out to a bridge that lead out to the upper alleyway parking lot. We checked the area and were



SEATTLE POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY
KC PROSECUTOR COPY

GO# 2012-402486 OPEN

1303-1 ASSLT-AGG-DV-BODYFORCE

about to hold containment on the complex until more units arrived. Suddenly I heard loud screaming and yelling coming from inside the complex from the lower level.

21:12:03

21:12:28

1 min.
8 sec.

I saw a bald male walking aggressively inside the hallway. The male saw me and went inside unit 103. He came back out seconds later with his hands in the air and approached the rear lower exit door. He was yelling something to me that I could not understand. He opened the door and then walked backwards from it with his hands in the air. My taser was in my right hand before he opened the door when I saw both his hands. I caught the door and opened it all the way. The suspect, who was later identified as A/ Milton Rich (11.3.1963), was standing about three feet from me when I opened the door. His hands were still in the air and he was telling me to come in several times as if he were the victim and wanted assistance. I gave him commands to step back and he turned around. The suspect was then taken into custody. 21:13:36 Hours

I was informed that the female had gone into unit 101 just down the hallway. I checked the unit and located V/ Kelley Purdy (██████████) and her daughter W/ M██████████ R██████████. They both had the facial expressions of being scared. Kelly was crouched down in her posture and attempted to look outside for Milton. M██████████ had her hands held to her face in small fists resting near her mouth and she was breathing shallowly. The apartment that they were inside was that of W/ A██████████ ██████████

I observed that Kelly had red marks all over her face. She was dark complected, but the redness on her face was obvious. I saw obvious red marks on her cheeks, forehead and mouth. Her lip was bleeding and she had dried blood on her hands. She was very worked up and began breathing heavily. I had her sit on the floor and asked her to tell me what happened. She began to cry and then stopped, like she was fighting it away. She looked at me and told me that nothing had happened. I tried to reason with her and asked her several times to try and tell me what happened and she would not. I asked her if she was hit in the mouth and she reported that her lip was cracked and that was why it was bleeding. Kelly refused to speak with me because he was in prison before for beating her, but he got out and she didn't think it will do any good for her.

Kelly went to the bathroom to look at her face and I spoke with M██████████. She reported that "Dad came in drunk. He went to sleep, woke up, hit mom with the Christmas tree." Her mother told her to get out and call for Police. She tried to get out, but before she could, she saw her dad open the kitchen drawer. She thought her father was going to grab a knife, but they ran out too fast (her and her mother). M██████████ reported that she saw her dad hitting her mother with a Christmas tree and with his body. I asked M██████████ if she was okay and she said she was. I asked her if she was hit and she said no, but then pointed to her left wrist and said she hit her wrist. I saw a small red mark on her wrist. At this time Kelly came back into the living room and stopped me from talking to M██████████.

EXHIBIT C

SPD OFFICER LANDON STEIGER'S POLICE REPORT



SEATTLE POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY
KC PROSECUTOR COPY

GO# 2012-402486 OPEN

1303-1 ASSLT-AGG-DV-BODYFORCE

Follow Up Report # 1

Follow Up Report # 1

Assignment Information

Assigned to: 7552 - STEIGER, LANDON E Rank:
 Assigned on: Nov-25-2012 (Sun.) 338 by: 7552 - STEIGER, LANDON E
 Report due on: Nov-25-2012 (Sun.)

Submission Information

Submitted on: Nov-25-2012 (Sun.) 213
 Approved on: Nov-25-2012 (Sun.) by: 5892 - MACCARRONE, JOSEPH A
 Follow Up Conclusion
 Follow Up concluded: YES

Narrative Text Report # 1

Document: NARRATIVE
 Author: 7552 - STEIGER, LANDON E
 Subject: STEIGER STATMENT
 Related date/time: Nov-25-2012 (Sun.) 114

On 11/24/2012, I was working full SPD uniform patrol with Officer NGUYEN in a marked patrol car as Unit 3W1. At approximately 2106 hours, Officer Nguyen and I were dispatched to [REDACTED] for a possible home invasion robbery in progress.

Officer Nguyen and I arrived on scene. Officer Mulloy (#7421) was standing by at the front entrance to the apartment building. As I approached Officer Mulloy, dispatch said the male was last heard leaving the scene. Officer Mulloy and I walked to the rear of the apartment building (East). I walked up to the alley East of [REDACTED]. I searched the alley for the suspect, but the search yielded negative results.

I returned to the apartment building and looked through the sidelight window located next to the lower East Door. I could see a male (Later identified as Milton RICH) pacing back and forth in the hallway. RICH was screaming and pounding on a door that was located near the end of the hallway (approximately 30 feet to the West of my location). I tried the handle on the exterior door, but it was locked. At this point, Officer Nguyen stated over the radio that he had gained entry to the front West Door. I began walking around towards Officer Nguyen. As I rounded the Northeast corner of the building, I heard the East door open.

I turned back around and saw Officer Mulloy standing at the East door,



SEATTLE POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY
KC PROSECUTOR COPY

GO# 2012-402486 OPEN

1303-1 ASSLT-AGG-DV-BODYFORCE

Follow Up Report # 1

holding it open; she had her taser out, attempting to give him commands. I could see through the sidelight window RICH standing approximately 5 feet from Officer Mulloy. I could hear RICH yelling something over and over again. It sounded like RICH was yelling, "Come on! Come on!" I was afraid that RICH was going to attack Officer Mulloy, and I ran to the doorway to be with her. I saw Officer Nguyen enter the hallway from the West entrance (opposite from me). RICH turned towards Officer Nguyen, placed his feet about shoulder width apart, he held his hands at should height near his chin, and his right foot was staggered behind his left. I could hear Officer Nguyen tell RICH to get on the ground twice, but RICH did not comply.

I became involved in a physical struggle with RICH. I ultimately assisted Officer Nguyen in placing RICH into custody. I returned to the Southwest Precinct and finished this statement. ///END of STATEMENT///

I hereby declare (certify) under penalty of perjury under the laws of the State of Washington that this report is true and correct to the best of my knowledge and belief (RCW 9A.72.085)

Electronically signed:

STEIGER, LANDON E

Date: Nov-25-2012

Place: Seattle, WA

EXHIBIT D

SPD OFFICER NAM NGUYEN'S POLICE REPORT



SEATTLE POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY
KC PROSECUTOR RELEASE COPY

GO# 2012-402486 OPEN

1303-1 ASSLT-AGG-DV-BODYFORCE

Follow Up Report # 5

Narrative Text Report # 2

Document: [REPORT SNAPSHOT]

Author: 7579 - NGUYEN, NAM Q

Subject: REPORT SNAPSHOT

Related date/time: Nov-25-2012 (Sun.) 49

Textual representation of the officer's MRE report

REPORT INFORMATION

=====

Offense # : 402647

Offense year : 2012

Submitted by : 7579 (NGUYEN, NAM Q (7579))

Date reported : 11-25-2012

NARRATIVE TEXT

=====

Subject : OFFICER N. NGUYEN STATEMENT

Type of text : ST (STATEMENT)

Author : 7579 (NGUYEN, NAM Q)

Related Date : 11-25-2012

Time : 0048

-The following incident was not DICVS recorded.-

On 11-24-2012, I was working full SPD uniform patrol in a marked patrol car with Officer L. STEIGER (#7552) Unit 3W1. At 2108 hours, we responded to [REDACTED], Seattle, WA, 98106-2238, to investigate a call of an In Progress Disturbance/Assault-DV. Upon arrival, I held containment on the W side of the building as Officers STEIGER and S. MULLOY (#7421) held containment on the E side building. Said apartment building is a lockout building. As I was waiting outside, I heard the radio update that the "Suspect was beating up his girlfriend in Apt [REDACTED]". Suspect was described as "A male, 40's, med build, bald head, white shirt, blue jeans".

Ultimately, I pressed [REDACTED] on the call box and was buzzed in by Complainant-Witness\Re [REDACTED] B [REDACTED]. As I opened the front door located on the W side of the building, I immediately heard a male voice yelling unintelligibly. I walked down the S hallway WB towards the E exit door and observed Arrested\Milton Ricardo RICH standing near the E exit doorway a few feet E of # [REDACTED]. RICH was yelling towards Officer MULLOY and STEIGER and matched the broadcasted suspect description. RICH turned around, faced me, took a fighting stance and stated "Come on". At this point, RICH was approximately 15 feet from me.

**SEATTLE POLICE DEPARTMENT****GENERAL OCCURRENCE HARDCOPY****KC PROSECUTOR RELEASE COPY**

GO# 2012-402486 OPEN

1303-1 ASSLT-AGG-DV-BODYFORCE

Follow Up Report # 5

RICH had both of his fist clenched and at chest level. Due to the fact that RICH matched the suspect description and not knowing if he was armed or not, I drew my service weapon, pointed it at him and instructed him to "Get on the ground" in hopes of gaining compliance without escalating the matter. RICH did not comply with my initial instructions so I again repeated, "Get on the ground now". Again, RICH did not comply. Thus, we became involved in a physical struggle to take RICH into custody. Ultimately, RICH was subdued and I placed handcuffs on him. Due to his size, I used 2 sets of handcuffs. I returned to the SW Precinct and completed a Use of Force Statement and this statement.

---END OF STATEMENT---

EXHIBIT E

COLOR PHOTOGRAPHS OF PLAINTIFF

MILTON RICH'S FACE AND HEAD INJURIES

King County Sheriffs Department

RICH, MILTON RICARDO

BA #: 212030828

Charge :

Arrest Date: 11/24/2012

Birth Date: 11/3/1963

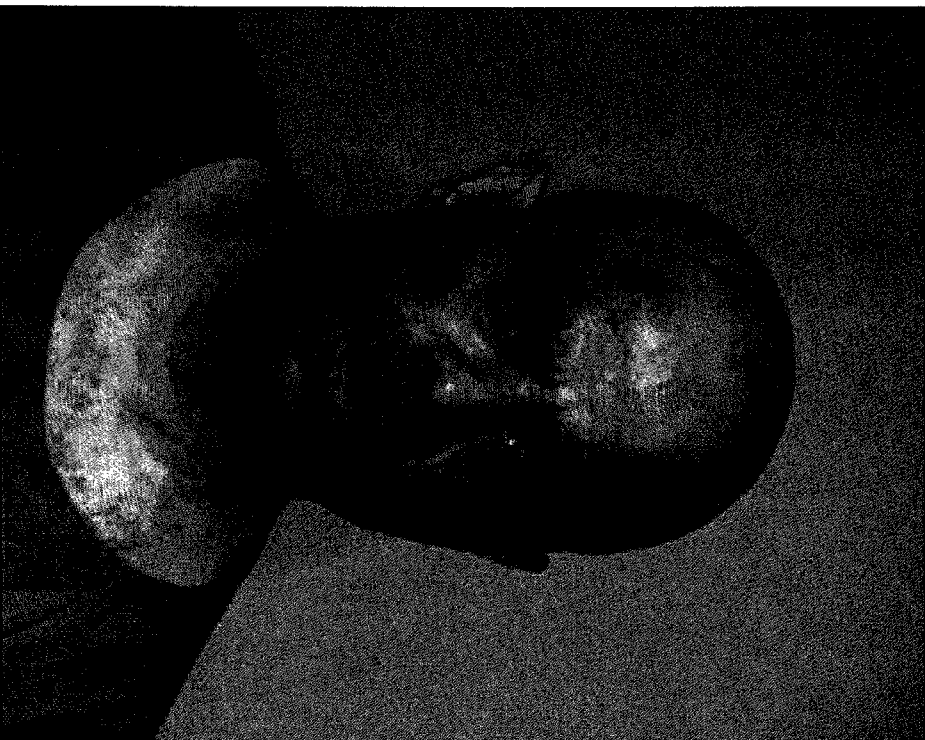
Sex: MALE

Race: BLACK

height: 5'8"

Weight: 215

CCN #: 0922816



11/25/2012

FOR LAW ENFORCEMENT USE ONLY

King County Sheriffs Department

RICH, MILTON RICARDO

BA #: 212030828

Charge:

Arrest Date: 11/24/2012

Birth Date: 11/3/1963

Sex: MALE

Race: BLACK

height: 5'8"

Weight: 215

CCN #: 0922816



11/25/2012

FOR LAW ENFORCEMENT USE ONLY

EXHIBIT F

REPLY LETTER'S FROM DOJ AND OPA



U.S. Department of Justice

United States Attorney
Western District of Washington

Please reply to:
SHANNON K. CONNERY
Paralegal Specialist, Civil Division

700 Stewart Street, Suite 5220 Tel: (206) 553-7970
Seattle, Washington 98101-1271 Fax: (206) 553-4073
www.usdoj.gov/usao/waw

February 12, 2013

Milton Ricardo Rich
S10L A 212030828
King County Correctional Facility
500 Fifth Avenue
Seattle, WA 98104-2332

Re: Seattle Police Department

Dear Mr. Rich:

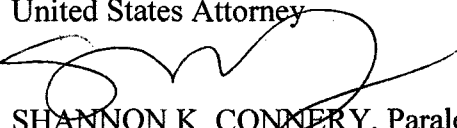
Thank you for your letter regarding the above-referenced matter. We appreciate the information you provided and have provided it to the proper persons within the U.S. Attorney's Office and Civil Rights Division. However, please be aware that, under our limited jurisdiction, we do not open a civil pattern and practice investigation of a police department based upon one complaint, however meritorious. You may consider filing a complaint with the Office of Professional Accountability (<http://www.seattle.gov/police/OPA/Complaintform.htm>), and/or contacting an attorney.

Please be aware that filing a complaint with this office has no effect on any statute of limitations that might apply to any claim you may have. By filing a complaint with this office you have not commenced a lawsuit or other legal proceeding, and this office has not initiated a suit or proceeding on your behalf. This office cannot provide legal representation to you regarding your complaint against Seattle Police Department. If you wish to pursue any legal claims you may have, please contact an attorney.

Thank you again for reaching out to us with the information provided. We'll be in touch should we need further information from you.

Sincerely,

JENNY A. DURKAN
United States Attorney


SHANNON K. CONNERY, Paralegal to
J. MICHAEL DIAZ
Assistant United States Attorney



City of Seattle

Seattle Police Department

SPD IIS

2013 APR 19 AM 11:19

April 19, 2013

Milton Rich
Bkg#212030828
King County Correctional Facility
500 Fifth Avenue
Seattle, WA 98104-2332

SPD Incident # 2012-402486
RE: OPA-IS File No. 13 - 0067

Dear Milton Rich:

I am Sgt Wilson with the Seattle Police Department Office of Professional Accountability and I am the assigned investigator for your complaint. OPA-IS has received your letter of inquiry and the purpose of this letter is to update you on the status of your complaint. I have all the documents related to the incident and I been working on the investigation since March. I have interviewed the involved officers and I will be coming to the KCJ to interview you the first part of May. I understand that you are frustrated and I apologize that I have not personally contacted you sooner about the progress of the investigation.

Your request for a claim form was sent in the opening letter that was mailed to you, however that letter was sent to your last known address in Kent, WA. I have enclosed a claim form with this letter.

Please direct any further inquiries to me directly at the below address. As I stated, I will be coming to the KCJ early May to do an in-person interview with you.

Sgt B.G. Wilson
Sergeant B. Wilson
Seattle Police Department
Office of Professional Accountability
610 Fifth Ave
P.O. Box 34986
Seattle, WA 98124-4986

EXHIBIT G

PANIC-ANXIETY/PTSD AND SEDATIVE MEDICATION'S
NOW TAKEN BY PLAINTIFF AFTER SPD ASSAULT

Patient: MILTON RICARDO RICH

Rx #: 30692038

Drug: VENLAFAXINE HCL ER 150 MG CAP

Date: 29 Apr 13

GENERIC NAME: VENLAFAXINE (VEN-la-fax-een)

COMMON USES: This medicine is a serotonin and norepinephrine reuptake inhibitor (SNRI) used to treat depression, generalized or social anxiety disorder, or panic disorder. It may also be used to treat other conditions as determined by your doctor.

BEFORE USING THIS MEDICINE: WARNING: ANTIDEPRESSANTS MAY INCREASE THE RISK OF SUICIDAL THOUGHTS OR ACTIONS in children, teenagers, and young adults. However, depression and certain other mental problems may also increase the risk of suicide. Talk with the patient's doctor to be sure that the benefits of using this medicine outweigh the risks. Family and caregivers must closely watch patients who take this medicine. It is important to keep in close contact with the patient's doctor. Tell the doctor right away if the patient has symptoms like worsened depression, suicidal thoughts, or changes in behavior. Discuss any questions with the patient's doctor. Some medicines or medical conditions may interact with this medicine. INFORM YOUR DOCTOR OR PHARMACIST of all prescription and over-the-counter medicine that you are taking. DO NOT TAKE THIS MEDICINE if you are taking or have taken linezolid, a monoamine oxidase inhibitor (MAOI) (eg, phenelzine, selegiline), or St. John's wort within the last 14 days. DO NOT TAKE THIS MEDICINE if you are also taking a fenfluramine derivative (eg, dexfenfluramine), nefazodone, sibutramine, or tryptophan. ADDITIONAL MONITORING OF YOUR DOSE OR CONDITION may be needed if you are taking anticoagulants (eg, warfarin, aripiprazole, aspirin, azole antifungals (eg, ketoconazole), bupropion, buspirone, cimetidine, clozapine, cyproheptadine, certain diet medicines (eg, phentermine, lorcaserin), diuretics (eg, furosemide, hydrochlorothiazide), fentanyl, haloperidol, lithium, meperidine, metoclopramide, metoprolol, nonsteroidal anti-inflammatory agents (NSAIDs) (eg, ibuprofen), phenothiazines (eg, chlorpromazine, thioridazine), risperidone, serotonin specific reuptake inhibitors (SSRIs) (eg, fluoxetine), serotonin and norepinephrine reuptake inhibitors (SNRIs) (eg, duloxetine), 5-HT1 receptor agonists (eg, sumatriptan), terbinafine, tramadol, trazodone, tricyclic antidepressants (eg, amitriptyline), or a medicine that contains methylene blue. DO NOT START OR STOP any medicine without doctor or pharmacist approval. TELL YOUR DOCTOR if you will be having electroconvulsive therapy (ECT) or if you drink alcohol. Inform your doctor of any other medical conditions, including dehydration, low blood sodium levels, allergies, pregnancy, or breast-feeding. Tell your doctor if you have a history of seizures, heart problems (eg, heart failure, irregular heartbeat), abnormal ECG, recent heart attack, high blood pressure, high cholesterol, an overactive thyroid, liver or kidney problems, lung problems, stomach or bowel bleeding, blood or bleeding problems, diabetes, increased eye pressure (eg, glaucoma), nervous system problems, or metabolism problems. Tell your doctor if you or a family member has a history of bipolar disorder (manic depression), other mental or mood problems, suicidal thoughts or attempts, or alcohol or substance abuse. Contact your doctor or pharmacist if you have any questions or concerns about taking this medicine.

HOW TO USE THIS MEDICINE: Follow the directions for using this medicine provided by your doctor. THIS MEDICINE COMES WITH A MEDICATION GUIDE. Read it carefully. Ask your doctor, nurse, or pharmacist any questions that you may have about this medicine. TAKE THIS MEDICINE with food. SWALLOW WHOLE. Do not crush, break, chew, or place the medicine in water. If you have difficulty swallowing this medicine whole, the capsule may be opened and the contents sprinkled onto a spoonful of applesauce and taken as directed. Do not chew the food/medicine mixture. Swallow the mixture immediately. Take this medicine with a full glass of water (8oz/240mL). DO NOT SUDDENLY STOP TAKING THIS MEDICINE without first checking with your doctor. You may have an increased risk of side effects (eg, mental or mood changes, numbness or tingling of the skin, dizziness, confusion, headache, increased sweating, diarrhea, nausea, vomiting, trouble sleeping, unusual tiredness). If you need to stop this medicine, your doctor may need to gradually lower your dose. DO NOT EXCEED THE RECOMMENDED DOSE or take this medicine for longer than prescribed without checking with your doctor. STORE THIS MEDICINE at room temperature between 68 and 77 degrees F (20 and 25 degrees C), away from heat and light. KEEP THIS MEDICINE out of the reach of children and away from pets. Taking this medicine at the same time each day will help you to remember. CONTINUE TO TAKE THIS MEDICINE even if you feel better. Do not miss any doses. IF YOU MISS A DOSE OF THIS MEDICINE, take it as soon as possible. If it is almost time for your next dose, skip the missed dose and go back to your regular dosing schedule. Do not take 2 doses at once.

*** MONOGRAPH CONTINUED ON NEXT PAGE ***

Case 2:13-cv-01143-RAT Document 5 Filed 07/08/13 Page 32 of 32
PUBLIC HEALTH - JAIL PHARMACY

500 5TH AVENUE
SEATTLE, WA 98104
206-296-1035

Patient: ~~MILTON RICARDO RICH~~

Rx #: 30686048

Drug: ~~SERTRALINE HCL- 100MG TAB~~

Date: 09 Mar 13

*** MONOGRAPH CONTINUED FROM PREVIOUS PAGE ***

CAUTIONS: DO NOT USE THIS MEDICINE IF you are allergic to any ingredient in this medicine. THIS MEDICINE MAY AFFECT CERTAIN LAB TEST RESULTS. Make sure laboratory personnel and your doctors know you use this medicine. THIS MEDICINE MAY CAUSE DROWSINESS OR DIZZINESS. These effects may be worse if you take it with alcohol or certain medicines. Use this medicine with caution. DO NOT DRIVE OR PERFORM OTHER POSSIBLY UNSAFE TASKS until you know how you react to it. DO NOT DRINK ALCOHOL while you are taking this medicine. Check with your doctor before you use medicines that may cause drowsiness (eg, sleep aids, muscle relaxers) while you are taking this medicine; may add to their effects. Ask your pharmacist if you have questions about which medicines may cause drowsiness. Several weeks may pass before your symptoms improve. DO NOT TAKE MORE THAN THE RECOMMENDED DOSE, change your dose, or use this medicine for longer than prescribed without checking with your doctor. CHILDREN AND TEENAGER WHO TAKE THIS MEDICINE MAY BE AT INCREASED RISK FOR SUICIDAL THOUGHTS OR ACTIONS. Adults may also be affected. The risk may be greater in patients who have had suicidal thoughts or actions in the past. Watch all patients who take this medicine closely. Contact the doctor at once if new, worsened, or sudden symptoms such as depressed mood; anxious, restless, or irritable behavior; panic attacks; or any unusual change in mood or behavior occur. Contact the doctor right away if any signs of suicidal thoughts or actions occur. IF YOUR DOCTOR TELLS YOU TO STOP TAKING THIS MEDICINE, you will need to wait for several weeks before beginning to take certain other medicines (eg, MAOIs, nefazodone). Ask your doctor when you should start to take your new medicines after you have stopped taking this medicine. BEFORE YOU BEGIN TAKING ANY NEW MEDICINES, either prescription or over-the-counter, check with your doctor or pharmacist. Caution is advised when using this medicine in the ELDERLY; they may be more sensitive to its effects, especially low blood sodium levels. THIS MEDICINE MAY CAUSE WEIGHT CHANGES. CHILDREN AND TEENAGERS may need regular weight and growth checks while they take this medicine. FOR MEN: THIS MEDICINE MAY RARELY CAUSE a prolonged, painful erection. This could happen even when you are not having sex. If this is not treated right away, it could lead to permanent sexual problems such as impotence. Contact your doctor right away if this happens. FOR WOMEN: THIS MEDICINE MAY CAUSE HARM TO THE FETUS if it is used during the last 3 months of pregnancy. IF YOU BECOME PREGNANT, contact your doctor. You will need to discuss the benefits and risks of using this medicine while you are pregnant. IT IS NOT KNOWN IF THIS MEDICINE IS FOUND in breast milk. IF YOU ARE OR WILL BE BREAST FEEDING while you use this medicine, check with your doctor. Discuss any possible risks to your baby.

POSSIBLE SIDE EFFECTS: SIDE EFFECTS that may occur while taking this medicine include constipation; decreased sexual desire or ability; diarrhea; dizziness; drowsiness; dry mouth; heartburn; increased sweating; loss of appetite; nausea; tiredness; trouble sleeping; or weight loss. If they continue or are bothersome, check with your doctor. CHILDREN and TEENAGERS who take this medicine may be more likely to experience abnormal muscle movement, agitation, aggression, nosebleed, heavy menstrual periods, increased urination, or decreased bladder control while taking this medicine. SEROTONIN SYNDROME and NEUROLEPTIC MALIGNANT SYNDROME (NMS) are possibly fatal syndromes that can be caused by this medicine. Your risk may be greater if you take this medicine with certain other medicines (eg, "triptans", MAOIs, antipsychotics). Symptoms of these syndromes may include blood pressure changes; agitation; confusion; hallucinations; other mental or mood changes; coma; fever; fast or irregular heartbeat; tremor; excessive sweating; rigid muscles; and nausea, vomiting, or diarrhea. Contact your doctor at once if you have any of these symptoms. CONTACT YOUR DOCTOR IMMEDIATELY if you experience bizarre behavior; black or bloody stools; chest pain; decreased bladder control; decreased concentration; exaggerated reflexes; fainting; fast or irregular heartbeat; fever; hallucinations; loss of coordination; memory loss or other memory problems; new or worsening anxiety, agitation, panic attacks, aggressiveness, impulsiveness, irritability, hostility, exaggerated feeling of well-being, restlessness, or inability to sit still; persistent or severe ringing in the ears; persistent, painful erection; red, swollen, blistered, or peeling skin; seizures; severe or persistent trouble sleeping; severe or persistent headache; stomach pain; suicidal thoughts or attempts; tremor; unusual bruising or bleeding; unusual or severe mental or mood changes; unusual weakness or unsteadiness; vision changes; worsening of depression; or vomiting. AN ALLERGIC REACTION to this medicine is unlikely, but seek immediate medical attention if it occurs. Symptoms of an allergic reaction include rash; hives; itching; difficulty breathing; tightness in the chest; swelling of the mouth, face, lips, or tongue; unusual hoarseness; or joint pain. This is not a complete list of all side effects that may occur. If you have questions about side effects, contact your health care provider. Call your doctor for medical advice about side effects. You may report side effects to FDA at 1-800-FDA-1088.

OVERDOSE: IF OVERDOSE IS SUSPECTED, contact your local poison control center or emergency room immediately. Symptoms may include coma; decreased sexual desire or ability; fainting; fast, slow, or irregular heartbeat; hair loss; hallucinations; seizures; severe or persistent dizziness, drowsiness, diarrhea, nausea, or vomiting; tremor; or unusual mental or mood changes.

ADDITIONAL INFORMATION: DO NOT SHARE THIS MEDICINE with others for whom it was not prescribed. DO NOT USE THIS MEDICINE for other health conditions. IF YOU WILL BE USING THIS MEDICINE FOR AN EXTENDED PERIOD OF TIME, be sure to obtain necessary refills before your supply runs out. CHECK WITH YOUR PHARMACIST about how to dispose of unused medicine.

NOTE: The information in this monograph is not intended to cover all possible uses, directions, precautions, drug interactions, or adverse effects. The information is generalized and is not intended as specific medical advice. If you have questions about the medicines you are taking or would like more information, check with your doctor, pharmacist, or nurse. Copyright 2013 Wolters Kluwer Health, Inc. All rights reserved. Database Edition 13.1